



ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

Section 17A.4(3) Iowa Code Supplement requires the Legislative Services Agency (LSA) to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee (ARRC). Fiscal Impact Statements filed by State agencies can be found on our website at http://staffweb.legis.state.ia.us/lfb/docs/Admin_Rules/arfiscal_notes.htm.

Department of Education

ARC 7783B

Rule Summary Requires minimum time periods of physical activity for elementary and secondary students. Requires every student physically able to complete a certification course for cardiopulmonary resuscitation by the end of grade 12.

Fiscal Impact No fiscal impact to the State. Fiscal impact to local school districts is not known. It is not clear whether schools will be required to employ persons certified in CPR to train students.

ARC 7787B

Rule Summary Updates the Statewide Voluntary Preschool Program to conform with language passed in HF 2679 (FY 2009 Education Appropriations Act) that predicated a school district's continued participation in the Program on the district's compliance with accountability provisions.

Fiscal Impact No fiscal impact.

ARC 7786B

Rule Summary Rescinds outdated rules related to the Certified School to Career Program.

Fiscal Impact No fiscal impact.

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	ARC 7782B
Rule Summary	Establishes nutritional content standards for foods and beverages sold or provided on school grounds during the school day.
Fiscal Impact	No fiscal impact to the State. The potential impact to local school districts cannot be determined because circumstances vary widely among districts.
	ARC 7780B
Rule Summary	Updates administrator preparation requirements to reflect current state and national standards and address changing forms of delivery systems. Adds rules for approval of professional educational programs that lead to State licensure for the following school personnel: <ul style="list-style-type: none">• Guidance counselor• Audiologist• Psychologist• Social Worker• Speech-Language Pathologist• Supervisor of Special Education Support• Orientation and Mobility Specialist Amends requirements to better prepare new educators to implement the required Iowa Core Curriculum, and makes other updates and clarifications.
Fiscal Impact	No fiscal impact.
	ARC 7785B
Rule Summary	Changes the definition of “teacher” to reflect current statute. Specifies that a beginning teacher possessing an evaluator license may not evaluate other teachers while the beginning teacher is on probationary status.
Fiscal Impact	No fiscal impact.
	ARC 7784B
Rule Summary	Rescinds outdated rules pertaining to the Educational Excellence Phase III Program.
Fiscal Impact	No fiscal impact.

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ARC 7781B

Rule Summary Delineates administration, provisions, and guidance for the State Categorical Supplement funding approved during the 2008 Legislative Session. Beginning in FY 2010, the State Categorical Supplements will be funded on a per pupil basis through the school aid formula and include:

- The teacher salary supplement that was previously the Student Achievement/Teacher Quality (SATQ) teacher compensation and Educational Excellence Phase II Program.
- The professional development supplement that was previously the SATQ professional development Program.
- The early intervention supplement that was previously the Early Intervention/Class Size Reduction Program.

Beginning in FY 2011, the per pupil amounts for each of the State Categorical Supplements will increase based on an allowable growth rate established by the General Assembly.

Fiscal Impact There is no fiscal impact in FY 2010. The General Assembly established an allowable growth rate of 2.00% for each of the State Categorical Supplements in FY 2011. The current estimated impact for FY 2011 is:

- An increase of \$6,400,000 for the Teacher Salary Supplement.
- An increase of \$700,000 for the Professional Development Supplement.
- An increase of \$700,000 for the Early Intervention Supplement.

STAFF CONTACT: Robin Madison (Ext. 15270) Shawn Snyder (Ext. 17799)

Board of Educational Examiners

ARC 7751B

Rule Summary Combines the existing Class B, C, and D licenses into one license – Class B for teacher licenses and endorsements.

Fiscal Impact No fiscal impact.

ARC 7778B

Rule Summary Establishes a uniform expiration date for all Class B licenses to eliminate confusion and assist school districts in making personnel decisions. Existing two-year licenses may expire in less than two years as a result of this change.

Fiscal Impact No fiscal impact.

ARC 7744B

Rule Summary Repeals rules relating to licensure and endorsements that are duplicated in other rules.

Fiscal Impact No fiscal impact.

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		ARC 7748B
Rule Summary	Amends the requirements for a substitute teacher license to permit recently retired teachers to use their recent teaching experience in lieu of the one-hour class or recent substitute teaching experience otherwise required.	
Fiscal Impact	No fiscal impact.	
		ARC 7745B
Rule Summary	Permits paraeducators in preschool special education classrooms to substitute for the special education teacher for no more than five consecutive days.	
Fiscal Impact	No fiscal impact.	
		ARC 7747B
Rule Summary	Amends the definition of “practitioner” to conform with current law.	
Fiscal Impact	No fiscal impact.	
		ARC 7743B
Rule Summary	Creates a new Professional Services license to be issued to the following school personnel: <ul style="list-style-type: none">• Audiologist• Psychologist• Social Worker• Speech-language Pathologist• Supervisor of Special Education (support)• Director of Special Education for an Area Education Agency• Guidance Counselor <p>These personnel are currently required to have an initial or standard “teaching” license. The new license is intended to eliminate confusion regarding the work they are licensed to perform.</p>	
Fiscal Impact	No significant fiscal impact. The Board of Educational Examiners may experience a decrease of \$8,000 to \$16,000 in annual fee revenue because an initial license will no longer be required for these personnel. The Board is required to deposit 25.00% of fee revenue in the State's General Fund.	

STAFF CONTACT: Robin Madison (Ext. 15270)

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Department of Economic Development

ARC 7765B and 7764B

Rule Summary Provides financial support for microenterprise development through the Community Microenterprise Development Organization.

Fiscal Impact Senate File 2430 (FY 2009 Economic Assistance for Microenterprises, River and Lake Enhancements, and Individual Development Act) included an FY 2009 appropriation of \$475,000 from the Federal Economic Stimulus and Jobs Holding Fund to the to the Department of Economic Development for competitive grants to community microenterprise development organizations to assist microenterprises. The funds do not revert at the close of FY 2009 and approximately \$425,000 is expected to be available during FY 2010.

ARC 7763B

Rule Summary Requires the fuel dispenser installer's cost estimate to be included with the application, and changes the starting date for calculating the three- or five-year period that the Renewable Fuels Infrastructure Grant recipient must continue to dispense renewable fuel.

Fiscal Impact Minimal fiscal impact with the rule alone. There is \$1.8 million allocated from the Grow Iowa Values Fund (GIVF) for FY 2010 for this Program.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Iowa Empowerment Board

ARC 7831B

Rule Summary Updates definitions and the Iowa Empowerment Board membership. Clarifies the responsibility of community empowerment boards and the carryforward-of-funds process to reflect current law. Adds a reference to the criteria for the use of First Years First funds.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

Environmental Protection Commission

ARC 7813B

Rule Summary Makes changes to Chapter 62—Effluent and Pretreatment Standards and Chapter 63—Monitoring Analytical and Reporting Requirements. On April 8, 2009, a 70-day delay was placed on ARC 7625B by the Administrative Rules Review Committee. The Department of Natural Resources (DNR) has worked with outside parties to resolve some of the issues from the April 9 meeting. Changes include:

Chapter 62 is being changed to indicate that the daily sample maximum criteria for E.coli set forth in Part E of the Supporting Document for Iowa Water Quality Management Plans is not to be used as an end-of-pipe permit limitation. This change addresses new technical data received from the federal Environmental Protection Agency indicating that the methodology in the DNR's "Supporting Document for Iowa Water Quality Management Plans," Chapter IV, July 1976, as revised on June 16, 2004, for establishing E.coli effluent limits is not supported by the technical data that the methodology is intended to be based on.

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Chapter 63 is being changed by adjusting Table II (Minimum Self-Monitoring in Permits for Organic Waste Dischargers Continuous Discharge Wastewater Treatment Plants) for continuously discharging waste water treatment plants (WWTPs), including municipal and semi-public WWTPs. The change removes Total Nitrogen, Total Phosphorous, and Total Kjeldahl Nitrogen monitoring for facilities with a Population Equivalent (PE) of 1,000 – 3,000.

Fiscal Impact No fiscal impact to the State. The changes reduce monitoring costs for smaller towns and cities. The changes prevent future permit appeals, noncompliance issues, and future enforcement matters.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Department of Natural Resources

ARC 7814B

Rule Summary Permits the Department of Natural Resources to issue 75 non-resident deer and 25 non-resident turkey licenses for the purpose of promoting Iowa.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Insurance Division – Department of Commerce

ARC 7795B

Rule Summary Brings the Insurance Division into conformance with revisions to the model regulation issued by the National Association of Insurance Commissioners (NAIC). The proposed amendments contain portions of the NAIC model regulation on advertising of Medicare supplement policies.

Fiscal Impact No fiscal impact.

ARC 7797 and 7796B

Rule Summary Includes an action by an insurer not in compliance with the Genetic Information Nondiscrimination Act of 2008 as an unfair trade practice.

Fiscal Impact No fiscal impact.

ARC 7836B

Rule Summary Implements electronic delivery of certain licensing notices, eliminates the mailing of paper licenses, and implements the electronic billing and payment for monthly and renewal appointments.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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Ethics and Campaign Disclosure Board

ARC 7806B
Rule Summary Defines "electronic format" and "electronic filing" for purposes of filing campaign statements and reports with the Ethics and Campaign Disclosure Board as being electronically filed via the Internet through the Board's website.

Fiscal Impact Minimal fiscal impact. Every campaign filing received electronically via the Board's website reduces the cost of paper and staff time in scanning and posting the paper report to the Board's website.

ARC 7807B
Rule Summary Requires Form DR-SFA be filed for each election by a person that voluntarily registers a campaign committee for purposes of using the shorter "paid for by" attribution, is involved.

Fiscal Impact No fiscal impact.

ARC 7801B
Rule Summary Prohibits a candidate from using campaign funds to pay the candidate, candidate's spouse, or candidate's immediate family compensation for campaign work or for the candidate to charge interest on a loan the candidate makes to the candidate's own campaign.

Fiscal Impact No fiscal impact.

ARC 7809B
Rule Summary Requires a candidate that registers for one office and then seeks another office and wants to transfer funds for the second office to register and file reports regardless if the \$750.00 financial filing threshold for the second office has been exceeded.

Fiscal Impact No fiscal impact.

ARC 7800B
Rule Summary Exempts a federal or out-of State committee from filing an independent expenditure form.

Fiscal Impact No fiscal impact.

ARC 7803B
Rule Summary Requires a former campaign committee officer to forward committee records to the new officer within seven days.

Fiscal Impact No fiscal impact.

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ARC 7805B
Rule Summary Requires a request for waiver of a civil penalty for a late-filed report to be filed via Form Petition for Waiver of Civil Penalty instead of by letter or electronic email.

Fiscal Impact Minimal fiscal impact. There will be less cost related to staffing and supplies with this new process.

ARC 7802B
Rule Summary Requires candidates for statewide office to file a Personal Finance Disclosure (PFD) form on April 30 of each year as opposed to within 30 days of becoming a candidate.

Fiscal Impact No fiscal impact.

ARC 7812B
Rule Summary Adds the filing of an Executive Branch lobbyist registration statement to the prohibition on Executive Branch lobbyists from falsely communicating with Executive Branch personnel.

Fiscal Impact No fiscal impact.

ARC 7808B
Rule Summary Permits the Board to order an assessment of direct costs related to a hearing as one of the remedial actions available if a violation is found.

Fiscal Impact Minimal fiscal impact. The Board usually holds five hearings or less a year and the cost involved in each hearing has historically been less than \$100.

ARC 7810B
Rule Summary Permits the Board to impose a civil penalty up to \$500.00 as part of the administrative resolution of a matter that is not a late filed statement or report.

Fiscal Impact Minimal fiscal impact. It is possible the Board would order penalties in this situation. The funds would be deposited in the General Fund.

ARC 7804B
Rule Summary Sets the number of days prior to a hearing that a statement of charges or notice of hearing must be served on all parties in lieu of the required 30 days.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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Department of Inspections and Appeals

ARC 7828B

Rule Summary Establishes definitions for persons required to report dependent adult abuse. The rule is a result of SF 484 (Dependent Adult Taskforce Recommendations Act). Specifies reporting procedures for evaluating reports and gathering evidence related to dependant adult abuse in health care facilities and programs.

Fiscal Impact Fiscal impact is unknown. The expected number of reports related to dependant adult abuse is unknown at this time. Additional training costs could be incurred. Moneys from penalties received from prosecutions that are not credited to Medical Assistance Program may be credited to the Medicaid Fraud Account. This Account can be used by Department of Inspections and Appeals for costs incurred while providing regulation or responding to allegations.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Iowa Public Employees' Retirement System

ARC 7760B and 7759B

Rule Summary Permits members with wages that have been reduced through employer-mandated reduction of hours, to make contributions to restore wages to what they would have been absent of the employer-mandated wage reduction of hours. Includes a retroactive date to January 1, 2009. Requires deductions to be made from wages earned on or before June 30, 2010, with collections from those wages made by employers by July 31, 2010.

Fiscal Impact The fiscal impact cannot be determined without knowing how many employers have utilized such programs, the number of employees that have been furloughed, details relating to the duration of each furlough, and how many employees will take advantage of the ability to restore their final average salary under the Iowa Public Employees' Retirement System.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Department of Revenue

ARC 7793B

Rule Summary Permits the public or an agency to file a petition for rulemaking. The general State model rule is the basis for the Department's proposed rule.

Fiscal Impact No fiscal impact.

ARC 7761B

Rule Summary Removes obsolete rules relating to individual income tax, corporation income tax, franchise tax, inheritance tax, generation-skipping tax, fiduciary income tax, and hotel and motel tax.

Fiscal Impact No fiscal impact.

ARC 7788B

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Rule Summary Requires assessors to classify property as of the assessment date according to the present use and not according to the highest and best use. Requires that when determining the actual value of property as of the assessment date, assessors not base that determination on a speculative highest and best use not supported by current comparable sales.

Fiscal Impact No fiscal impact.

ARC 7832B

Rule Summary Expands and provides definitions used in the taxation of communication service, telecommunications service, ancillary service, and other similar communication service. The amendment is required for compliance with the Streamlined Sales and Use Tax Agreement. Adds a new rule to deal with payments made by a third party, such as a reimbursement to a retailer from a manufacturer for a manufacturer's coupon, as to the sales price and amount of tax.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Department of Public Health

ARC 7791B

Rule Summary Provides for an increase in the neonatal metabolic screening fee from \$97.00 to \$112.00. Fees are retained by the University of Iowa Hygienic Laboratory and are used to pay for staffing, testing, and case management. Requires birthing providers to retain documentation of neonatal metabolic screening waivers and provide notification to the Department. Renames the Maternal Serum Alpha-fetoprotein Screening Program to the Iowa Maternal Prenatal Screening Program (IMPSP) to reflect the broader scope of testing available. Provides for additional definitions related to the Program. Makes technical changes to clarify program acronyms where applicable.

Fiscal Impact Minimal fiscal impact.

ARC 7792B

Rule Summary Updates provisions related to the regulation of the use of radioactive materials and radiation machines in Iowa to meet the federal Nuclear Regulatory Commission's requirements.

Fiscal Impact No fiscal impact.

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ARC 7798B

Rule Summary Updates current requirements for the Women, Infants, and Children (WIC) Program's food package to be consistent with federal requirements effective on October 1, 2009. Provides for the right of the State to limit the number of foods for the WIC approved food list based on accessibility, availability, retail value of products, USDA recommendations, increased number of WIC participants, and any changes in federal funding. The Department had to reschedule the public hearing for the rule to reflect a scheduling conflict with ICN. Technical changes made to the Noticed Rule are the result of internal review. A new public hearing is scheduled for June 10, 2009.

Fiscal Impact No fiscal impact.

ARC 7794B

Rule Summary Establishes the structure of the Early Childhood Iowa Council that was codified in SF 2425 (FY 2009 Health and Human Services Appropriations Act). The Council was created as the advisory body for the development and implementation of a comprehensive early care, health and education system in Iowa. Provides for the purpose, duties, membership, and structure of the Council, the Council's Steering Committee, the various component groups that will work within the Council, and the Council's State Agency Liaison Team. Establishes the Department of Public Health as the lead agency to support the Council.

Fiscal Impact No fiscal impact.

ARC 7839B

Rule Summary Provides for changes to the regulation of indoor and outdoor public swimming pools to comply with the federal Virginia Graeme Baker Pool and Spa Safety Act (VGB). Authorizes the Department of Public Health and its contractors to enforce provisions of the VGB.

Fiscal Impact No fiscal impact.

ARC 7838B

Rule Summary Rescinds rules that pertain to impact resistance and testing for protective eyewear in lieu of federal regulations that address the topic. The 2009 General Assembly removed the statutory authority of these rules from the Department of Public Health in HF 380 (Department of Public Health Technical Changes Act).

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Department of Human Services

ARC 7768B

Rule Summary Defines the role of the "county of residence" as it relates to the central point of coordination process for services to persons with mental illness, chronic mental illness, mental retardation, developmental disabilities, or brain injury.

Fiscal Impact No fiscal impact.

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		ARC 7740B
Rule Summary	Clarifies that an applicant or participant has the primary responsibility for providing information and verification needed to establish eligibility and benefits.	
Fiscal Impact	No fiscal impact.	
		ARC 7776B
Rule Summary	Requires families approved for assistance under the Family Investment Program (FIP) to assign their child support receipts to the Department of Human Services during the period of time that the family receives FIP reimbursement.	
Fiscal Impact	This change is estimated to save the General Fund \$94,000 in FY 2010 and \$125,000 in FY 2011. These changes are required by the federal Deficit Reduction Act of 2005.	
		ARC 7741B
Rule Summary	Makes various technical changes to Medicaid, Foster Care, Adoption Services, Rehabilitative Treatment Services, and other various subject areas.	
Fiscal Impact	No fiscal impact.	
		ARC 7771B
Rule Summary	Eliminates the requirement for completing two forms to qualify for Medicaid payment for a hearing aid.	
Fiscal Impact	No fiscal impact.	
		ARC 7770B
Rule Summary	Makes the following changes: <ul style="list-style-type: none">• Increases the Healthy and Well Kids in Iowa (hawk-i) income limits from 200.00% of the federal poverty level (FPL) to 300.00% of the FPL (\$5,513.00 per month for a family of four) beginning July 1, 2009.• Implements increased monthly cost-sharing for children with countable family income at or more that 200.00% of the FPL (\$20.00 per month per child up to a maximum of \$40.00 per family).	
Fiscal Impact	This change is estimated to cost \$1.3 million in FY 2010 and \$3.9 million in FY 2011. Funding was provided for FY 2010 in HF 820 (FY 2010 Federal Funds Appropriations Act).	
		ARC 7769B
Rule Summary	Establishes safety and facility standards for children's centers that are privately owned and operated. Provides for definitions and standards related to providing basic needs for children in care; protection from mistreatment, physical abuse, sexual abuse, and neglect; required record checks; seclusion and restraints; and health, safety, emergencies, and buildings.	
Fiscal Impact	No fiscal impact.	

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		ARC 7829B
Rule Summary	Consolidates and simplifies forms used to notify households of public assistance overpayments and reflects the current names of forms.	
Fiscal Impact	No fiscal impact.	
		ARC 7830B
Rule Summary	Implements the Ticket to Hope Program, a mental health counseling Program.	
Fiscal Impact	The Program is funded with the additional federal Social Services Block Grant (SSBG) funding available due to the weather-related disasters in 2008.	
		ARC 7833B
Rule Summary	Adjusts the premiums assessed for the coverage group Medicaid for Employed People with Disabilities (MEPD). The premium schedule is set by the member's income corresponding to the federal poverty level.	
Fiscal Impact	This change is estimated to cost the General Fund \$73,000 in FY 2010 and \$155,000 in FY 2011. Funding for FY 2010 was provided in HF 811 (FY 2010 Health and Human Services Appropriations Act).	
		ARC 7834B
Rule Summary	Makes the annual updates of the statewide average cost of nursing facility services to a private-pay resident and the statewide average charges or maximum Medicaid rate for various levels of institutional care.	
Fiscal Impact	Minimal fiscal impact.	
		ARC 7816B
Rule Summary	Removes omeprazole magnesium delayed-release tablets 20 mg (base equivalent) from the covered nonprescription drug list. Updates the covered nonprescription drug list by removing products that are no longer available and by adding covered products that are preferred on the preferred drug list.	
Fiscal Impact	This change to the preferred drug list is estimated to save the General Fund \$40,000 in FY 2010 and \$70,000 in FY 2011.	

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ARC 7827B

Rule Summary Changes Medicaid coverage limits and fees for services provided by an ambulatory surgical center. Under current rules, the State is required to reimburse centers for additional procedures using a fee schedule determined by Medicare. This will result in drastically inflated payments for certain procedures in the future since linked with Medicare reimbursements that are changing over a multi-year period. Implementing this change will allow the State to control these costs and avoid additional expenditures. The Iowa management information and reimbursement systems can not blend payment methodologies that would be required to implement the multi-year Medicare change involving 800 procedure codes.

Fiscal Impact No fiscal impact since the Medicare multi-year changes would no longer impact Iowa Medicaid reimbursements.

ARC 7835B

Rule Summary Updates references to the Code of Federal Regulations regarding the payment methodology for prescription drugs.

Fiscal Impact No fiscal impact.

ARC 7815B

Rule Summary Requires child care providers to conduct a visual inspection for lead hazards and to complete interim controls as defined by the Department of Public Health if chipping or peeling paint is found. Requires needed changes to be made before a provider can initially register with the Department or upon registration renewal.

Fiscal Impact Minimal fiscal impact related to training of existing staff.

ARC 7837B

Rule Summary Updates the Child Care Assistance Program's fee schedule based on the federal poverty level income guidelines issued for 2009. The new fee schedule will be applied to new applications as of July 1, 2009, and will be applied to existing cases when a family's eligibility is re-determined.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jess Benson (Ext. 14611) Deborah Helsen (Ext. 16764)

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Architectural Examining Board

ARC 7737B

Rule Summary Permits a person seeking an architectural commission to be admitted to provide architectural services in Iowa without having first been registered if the person provides proper information to the Architectural Examining Board.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

College Student Aid Commission

ARC 7733B

Rule Summary Expands the definition of Iowa resident to include individuals that the Iowa Department of Human Services had placement and provides care responsibilities for, as mandated by the Iowa Juvenile Court System.

Fiscal Impact No fiscal impact. The Program receives an appropriation through the Education Appropriation Subcommittee, and the awards do not exceed the appropriated amount.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Department of Cultural Affairs

ARC 7734B

Rule Summary Requires applicants to be a registered Iowa nonprofit organization to be eligible for the Iowa Community Cultural Grant Program.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16561)

Dental Board

ARC 7767B

Rule Summary Permits a dentist and dental hygienist to mutually determine the appropriate interval for a dental examination based on the needs of the patients in a public health setting in lieu of a specified period of time within the supervision agreement.

Fiscal Impact No fiscal impact.

ARC 7790B

Summary Removes the American Board of Dental Examiners, Inc. (ADEX) examination from the list of examinations that dental hygiene applicants may complete to qualify for licensure. The ADEX is no longer administered by the Central Regional Dental Testing Service, Inc., that Iowa is a member of. Two additional tests will still be available to qualify for licensure.

Fiscal Impact No fiscal impact.

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ARC 7789B

Rule Summary Specifies the appeal process for a denial of licensure or registration by the Dental Board.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Engineering and Land Surveying Examining Board

ARC 7754B

Rule Summary Clarifies components and due dates for the Principles and Practice examination applications. Clarifies components of the complete application for licensure by comity (when one jurisdiction may accede to the decisions of another jurisdiction). Prohibits comity applications from review until all components have been received. Specifies that comity applicants be notified of the results of the application review in writing. Clarifies the Engineering and Land Surveying Examining Board position with regard to temporary permits.

Fiscal Impact No fiscal impact.

ARC 7753B

Rule Summary Clarifies components of the work project statement portion of the application for original licensure of a professional engineer. Requires the Engineering and Land Surveying Examining Board to approve only work project statements that include all of the components. Removes the requirement that all applicants for licensure by comity to submit three references and allows the applicant to submit one or more references that verify at least four years of satisfactory experience after the receipt of the educational requirements.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 16764)

Historical Division – Department of Cultural Affairs

ARC 7755B

Rule Summary Corrects the number of State Historical Society of Iowa award programs from four to seven.

Fiscal Impact No fiscal impact.

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ARC 7817B

Rule Summary Allows up to \$200,000 of grants per county, rather than the previous limit of two grants per county of up to \$100,000 each. In the past, two entities might receive a \$50,000 grant and a \$100,000 grant and would not be eligible for the full \$200,000. Under the proposed rules, the limit is changed to total funding of \$200,000, rather than a set number of grants. In the past, some counties were forced to forfeit funding that was then distributed to other counties.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Homeland Security and Emergency Management Division – Department of Public Defense

ARC 7752B

Rule Summary Implements the Community Disaster Grant Program. Defines the purpose and eligible cities and counties. Bases the funding on the pro-rata share of damage costs associated with Presidential disaster areas between May 24 and August 14, 2008.

Fiscal Impact House File 64 (Disaster Recovery Funding Act) appropriated \$22,000,000 from the Iowa Economic Emergency Fund for the purpose of these grants. As of May 23, \$19,961,299 had been expended.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Board of Medicine

ARC 7756B

Rule Summary Clarifies that the preliminary notice of denial for licensure is considered a public record and the denied applicant will be notified by the Board of Medicine of the process for appealing the denial.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Parole Board

ARC 7742B

Rule Summary Implements the Certificate of Employability Program created in HF 2660 (FY 2009 Justice System Appropriations Act). The Act required the Parole Board to develop and implement a Certificate of Employability Program by July 1, 2009.

Fiscal Impact The Board indicates the cost to be \$58,000 for one FTE position to administer the Program. Funding was not provided for this Program in FY 2010.

STAFF CONTACT: Beth Lenstra (Ext. 16301)

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Professional Licensure Division – Department of Public Health

ARC 7762B

Rule Summary Optometry: Clarifies that cardiopulmonary resuscitation (CPR) certification required for the renewal of an optometry license must be completed in person. Therapeutically licensed optometrists are permitted to use injections to counteract an anaphylactic reaction and therefore are required to obtain CPR certification.

Fiscal Impact No fiscal impact.

ARC 7779B

Rule Summary Podiatry: Clarifies that a residency program must be completed before permanent licensure is issued and a temporary license is replaced. Permits an applicant to sit for Part III of the required National Board of Podiatric Medical Examiners examination without Board of Podiatry approval. Requires participating faculty, with clinical privileges, of a podiatric college in Iowa to obtain permanent licensure. This eliminates their eligibility for temporary licensure.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Department of Public Safety

ARC 7735B

Rule Summary Delays the requirement for dual sensor smoke detectors from April 1, 2009, to October 1, 2009.

Fiscal Impact No fiscal impact.

ARC 7772B

Rule Summary Creates a parallel exemption for dispensing biodiesel and petroleum diesel fuel with blends containing up to 20.00% biodiesel from dispensers listed by an independent testing laboratory as compatible with diesel fuel that can be used to dispense E-blend.

Fiscal Impact No fiscal impact.

ARC 7773B

Rule Summary Specifies sustainable design standards for certain building construction projects and related procedures and fees.

Fiscal Impact Fees range from \$100.00 to \$250.00 depending on the scope of the project. The fiscal impact cannot be determined since the number of projects submitted for approval under these requirements is unknown.

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ARC 7777B and 7775B

Rule Summary Allows re-installed manufactured homes to be installed with piers that are not driven below the frost line.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Racing and Gaming Commission

ARC 7758B

Rule Summary Makes various technical changes to conform the rules with current standards of the industry. Requires fingerprinting of all applicants applying for an occupational license.

Fiscal Impact No fiscal impact.

ARC 7757B

Rule Summary Updates certain racetrack and gambling game rules to conform to current industry standards.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Real Estate Appraiser Examining Board

ARC 7774B

Rule Summary Clarifies hardship and disability requirements to comply with federally-mandated guidelines set forth by the Appraisal Qualifications Board. Adds a \$150.00 fee for voluntary submission of work product review and a \$250.00 fee for nonresidential reports.

Fiscal Impact No fiscal impact. While there is a cost for submitting a voluntary work product to reflect the actual cost to have the work product reviewed, there has not been a request since it was permitted.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Real Estate Commission

ARC 7736B

Rule Summary Adds a definition of “moral turpitude.”

Fiscal Impact No fiscal impact.

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ARC 7799B

Rule Summary Amends the Seller Property Disclosure Form to require acknowledgment of receipt of a Radon Gas Pamphlet initiated by the Iowa Department of Health (IDPH).

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

Board of Regents

ARC 7822B

Rule Summary Increases five of 15 existing application fees assessed to individuals applying for admission to the three Regent universities and adds a new fee for non-degree students at the University of Iowa and University of Northern Iowa.

Fiscal Impact There is no impact to the State General Fund. The following table shows the proposed admission application fee changes for the three Regents universities.

	Current Fee	Proposed Fee	Increase
University of Iowa			
Undergraduate international student	\$ 60	\$ 85	\$ 25
Graduate/professional international student	85	100	15
Non-degree student	0	40	40
Iowa State University			
Undergraduate domestic student	\$ 30	\$ 40	\$ 10
Graduate domestic student	30	40	10
Graduate international student	70	90	20
University of Northern Iowa			
Non-degree student	\$ 0	\$ 40	\$ 40

The University of Iowa is expected to receive fee revenues of \$180,000 for increasing existing fees and \$90,000 for the new non-degree student fee for a total annual increase of \$270,000. Iowa State University is expected to receive additional fee revenues of \$258,590 annually for increasing existing fees. The University of Northern Iowa is expected to receive new fee revenues of \$2,000 annually for adding the non-degree student fee.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Status of Women Division – Department of Human Rights

ARC 7821B

Rule Summary Deletes obsolete relating to the lowans in Transition Program.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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Department of Transportation

ARC 7750B

Rule Summary Adopts the latest edition (October 2008) of the Code of Federal Regulations (CFR) relating to Federal Motor Carrier Safety Regulations and Federal Hazardous Materials Regulations. This includes changes from the Pipeline and Hazardous Materials Safety Administration (PHMSA) and Federal Hazardous Materials Regulations (HMR) to correct editorial errors; update and clarify requirements governing hazardous materials transported in commerce; and clarify and revise requirements relating to hazard communication and transportation.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Mary Beth Mellick (Ext. 18223)

Utilities Division – Department of Commerce

ARC 7749B

Rule Summary Updates and makes corrections to the technical standards for natural gas and electric facilities. Requires these updates periodically as the federal and industry standards are updated or revised. Recognizes that the State Fire Marshal has established installation standards for some facilities.

Fiscal Impact No fiscal impact.

ARC 7820B

Rule Summary Requires electric utilities to notify the Utilities Board in specific instances when customers lose electric service. The notification is required to allow the Board to notify emergency responders and local and State agencies to protect the welfare of Iowa citizens.

Fiscal Impact No fiscal impact.

ARC 7826B

Rule Summary Makes technical changes to clarify the status of regulated, deregulated, and unregulated telecommunications services.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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Department of Veterans Affairs

ARC 7746B

Rule Summary Increases the amount that resident members at the Iowa Veterans Home participating in an incentive therapy program can retain from \$65.00 to \$75.00 per month for those living in nursing care and from \$125.00 to \$150.00 per month for those living in the domiciliary location. These new amounts will be exempt from the computation of member support billed to members as were the previous amounts.

Fiscal Impact Minimal fiscal impact. Revenues for the Iowa Veterans Home will decrease by an estimated \$29,619 on an annual basis.

STAFF CONTACT: Sue Lerdal (Ext. 17794)
